

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

SENTENCING MINUTES

HON. **Rudolph T. Randa**, presiding.

Deputy Clerk: **Linda M. Zik**

DATE: **October 2, 2014 10:30 a.m.**

Court Reporter: **Heidi Trapp**

CASE NO. **13-Cr-192**

Time Called: 10:40 a.m.

UNITED STATES of AMERICA v. **Mariano Alejandro Meza-Rodriguez**

Time Concluded: 10:53 a.m.

UNITED STATES by: **Gail J. Hoffman**

PROBATION OFFICER: **Lisa M. Cyrak**

INTERPRETER:

DEFENDANT: **Mariano Alejandro Meza-Rodriguez**, in person, and by

ATTORNEY: **Julie K. Linnen / Juval O. Scott**

Custody Bureau of Prisons Time-Served on Count 1 of the Indictment

Credit for time served.

Defendant is subject to deportation to Mexico.

Supervised Release NONE

Sentencing Minutes Continued

Defendant: **Mariano Alejandro Meza-Rodriguez**

Case No.: **13-Cr-192**

Fine: \$

X Fine and costs waived

____ Participate in BOP Inmate Financial
Responsibility Program

Restitution:

Payee:

Forfeiture:

X Defendant remanded to custody of U.S. Marshal

____ Execution of sentence stayed until _____

____ Voluntary surrender to institution

X Defendant advised of right to appeal by court

____ Court orders copy of transcript to accompany presentence report

Special Assessment:

\$100.00

Other:

Court has the PSR.

No objections by the parties to the factual statements in the PSR.

Sentencing Minutes Continued

Defendant: **Mariano Alejandro Meza-Rodriguez**

Case No.: **13-Cr-192**

Government notes the PSR places the defendant at OL = 12, CHC = III, 15-21 months. Government recommends time-served which is essentially 13 months. He has been in custody since 8/24/2013, about 13 months; with time served this is a low-end recommendation. He will remain in custody and deported to Mexico. There is no public interest to continue incarcerating the defendant here. This provides just punishment.

Defense counsel states the average time awaiting deportation is 1½ to 5½ months. So time-served is a bottom of the guideline range sentence. Including the waiting for deportation, this places him at the top of the guideline range. Deportation is a severe sentence for the defendant. He hopes his girlfriend and 2 children will join him in Mexico. He does not intend to come back. The offense is one bullet. Grant the joint request for a time-served sentence.

Defendant's right of allocution.

Court addresses § 3553(a):

OL = 12, CHC = III, 15-21 mos.

- (1) Nature of offense: possession of a bullet; the defendant says he found it in an alley but in context there was a man with a gun complaint and the defendant is on video with what looks like a gun; this puts a more serious cast on it;
- (2) History of defendant: prior record starts at age 15; connection with Mexican Posse; lives on the South Side; negative on peers and personality due to his associations; no substance abuse problem; Paragraph 68 of PSR summarizes the defendant's employment – he earned cash;
- (3) Court takes into consideration the practicalities of the case regarding deportation and adopts the parties recommendation; no supervised release.